



# Howard Planning and Zoning Minutes



## MINUTES HOWARD COUNTY PLANNING & ZONING September 19, 2012

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 19<sup>th</sup> of September, 2012 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Terry Spilinek called the meeting to order at 8:00 P.M. The Open Meeting Act is posted in the rear of the room. Administrator Trumler read the Notice of Meeting. A proof of publication is filed at the Howard County Clerks office.

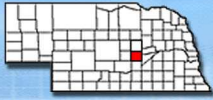
Roll call showed 7 members present: Lauren Scarborough, Jeff Christensen, Jack Reimers, Dave Sack, Kenneth Kozisek, Daryl Anderson and Terry Spilinek. Those absent were: Randy Kauk and Ron Kulwicki. Also present were Franz Trumler, Planning & Zoning Administrator, and Cherri Klinginsmith, Acting Secretary. The Agenda and Minutes were e-mailed to the Board Members prior to the meeting. A motion was made by Dave Sack and 2<sup>nd</sup> by Jack Reimers to approve the Minutes of the August 15, 2012 meeting. The motion carried on a unanimous voice vote.

Old business: Chairman Terry S. updated the board members of Jay Pederson's recent actions of informing his tenant he would not be renting out his pasture next year, so it does seem Mr. Pederson is acting on his intentions mentioned in our August meeting. It was asked by the board if Administrator Trumler could verify who is living in the 2<sup>nd</sup> home. Administrator Trumler also informed the board that Dan Smydra may have some questions to ask the board after our Public Hearings.

At 8:05 P.M. the first item on the Agenda was a Single Lot Subdivision Application by Shirley Bahensky, named the **Bahensky Subdivision** in the SW ¼ of Section 12-14-11W of the 6<sup>th</sup> P.M. in Howard County. Administrator Trumler read the Notice of Public Hearing. Proof of Publication is filed in the Howard County Clerks office. No one was present from the Bahensky family or Wolf Inc. to represent the subdivision. Administrator Trumler informed the board members that this subdivision meets all our regulations. However, there was a 1.9 acre lot previously surveyed off, but not legally subdivided, therefore this subdivision of 14.78 acres includes that surveyed lot to make it legally subdivided. Administrator Trumler also stated the County Attorney, Dave Schroeder came to him yesterday and was concerned that the Mylar is signed by Shirley Bahensky, as she is the trustee, however it is not listed that way on the Mylar. His suggestion was to make note of this in our minutes. A motion was made by Daryl Anderson and 2<sup>nd</sup> by Ken Kozisek to approve the application. A roll call vote was taken. The motion carried 7-0. A Finding of Fact was completed. (See Attached.)

At 8:15 P.M. the second item on the Agenda was Single Lot Subdivision Application by Jim and Janet Ummel, named the **Ummel's Subdivision** in the NE ¼ of Section 14-14-11W of the 6<sup>th</sup> P.M. in Howard County. Administrator Trumler read the Notice of Public Hearing. Proof of Publication is filed in the Howard County Clerk's office. Jim and Janet Ummel were present for questions. A motion was made by Ken Kozisek and 2<sup>nd</sup> by Dave Sack to approve the application. A roll call vote was taken. The motion carried 7-0. A Finding of Fact was completed. (See Attached.)

Dan Smydra and Cara Ritz were present and asked the board members if they could divide their 52 acre lot into 3 parcels; 20 acres, 20 acres and 12 acres. Administrator Trumler informed the board this is in A3 (Agricultural – Conservation) district. After some discussion regarding floodplain regulations, Chairman Terry Spilinek informed Mr. Smydra that with our current regulations in A3 district, he is not able to divide up the ground.



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A motion was made by Dave Sack and 2<sup>nd</sup> by Jeff Christensen to adjourn. The motion carried. The meeting was adjourned at 8:40 P.M. The next meeting will be scheduled for October 17, 2012. **(No Meeting in October)**  
**Next possible meeting will be Nov 14<sup>th</sup>.**

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Cherri Klinginsmith, Acting Secretary